

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-134-C - ORDER NO. 2012-405
MAY 23, 2012

IN RE: Petition of BellSouth Telecommunications,) ORDER REVERSING
 LLC d/b/a AT&T South Carolina for Review) NUMBERING
 of Numbering Resources Determination in) DETERMINATION
 the Charleston Rate Center)

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Petition of BellSouth Telecommunications, LLC d/b/a AT&T South Carolina ("AT&T" or the "Company") for review of the North American Numbering Plan Administrator's and/or the Pooling Administrator's (collectively "NANPA/PA" also known as "Central Office Code Administration") central office code numbering resources decision to deny the Company's request for numbering resources in the Charleston Rate Center. AT&T's customer who needs the additional numbering resources is the United States Department of State. In order to meet this customer's express request for numbers, AT&T requested the assignment of two thousand-blocks in the 843 area code with NXXs that do not end in 0, 1, 8, or 9. According to AT&T, it does not have the numbers to meet its customer's request and asks that the Commission reverse NANPA/PA's denial.

NANPA/PA's refusal stems from the Federal Communications Commission's ("FCC") "rate center" basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of

the application and meet a rate center utilization threshold of 75 percent in order to receive additional numbering resources. However, the record reveals that at the time of the request the Charleston Rate Center was 112.769 months from exhausting its inventory for the relevant block and was using 60.441% of its numbering resources.

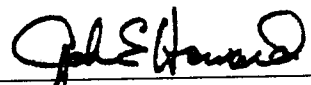
Although AT&T fails to meet NANPA/PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a NANPA/PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-210 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by NANPA/PA denying a request for numbering resources. We further find that AT&T has demonstrated receipt of a customer request for numbering resources that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for AT&T to provide its customer with the required telecommunications service. Consequently, we hold that NANPA/PA is directed to approve AT&T's request and grant

the requested assignment of two thousand-blocks in the 843 area code with NXXs that do not end in 0, 1, 8, or 9.


This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



John E. Howard, Chairman

ATTEST:



David A. Wright, Vice Chairman
(SEAL)